

## APPENDIX E: LEGISLATION

### LAWS FOR NAT. PARK SERVICE, PARKS, & MONUMENTS

#### 7. Isle Royale National Park

An Act To provide for the establishment of the Isle Royale National Park, in the State of Michigan, and for other purposes, approved March 3, 1931 (46 Stat. 1514)

Isle Royale  
National Park,  
Mich.

Establishment,  
etc.

Proviso.  
Lands to be se-  
cured without  
Federal cost.

Acceptance of  
title.

Administration  
by National Park  
Service.

Vol. 39, p. 535.  
See p. 9.

Proviso.  
Federal Water  
Power Act not  
applicable.  
Vol. 41, p.  
1063.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That when title to all alienated lands within Isle Royale in Lake Superior, Keweenaw County, Michigan, and immediately surrounding islands as shall be designated by the Secretary of the Interior in the exercise of his judgment and discretion as necessary or desirable for national-park purposes, shall have been vested in the United States and exclusive jurisdiction over the same shall have been ceded by the State of Michigan to the United States, said area shall be, and is hereby, established, dedicated, and set apart as a public park for the benefit and enjoyment of the people, and shall be known as the Isle Royale National Park: *Provided*, That the United States shall not purchase by appropriation of public moneys any lands within the aforesaid area, but such lands shall be secured by the United States only by public or private donation. (U.S.C., 6th supp., title 16, sec. 408.)

SEC. 2. The Secretary of the Interior is hereby authorized, in his discretion and upon submission of evidence of title satisfactory to him, to accept on behalf of the United States title to any lands located on said islands offered to the United States, without cost, as may be deemed by him necessary or desirable for national-park purposes. (U.S.C., 6th supp., title 16, sec. 408a.)

SEC. 3. The administration, protection, and development of the aforesaid park shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the Act of August 25, 1916 (39 Stat. 535), entitled "An Act to establish a National Park Service, and for other purposes," as amended: *Provided*, That the provisions of the Act approved June 10, 1920, known as the Federal Water Power Act, shall not apply to this park. (U.S.C., 6th supp., title 16, sec. 408b.)

thetic to the industry and opposed to State or Federal regulation thereof.

(d) The explanation for the immunity of the said parties since 1922 from effective prosecution by the Department of Justice for violating the antitrust laws, notwithstanding the unlawful character of the business activities of the said parties, and particularly as to whether such immunity has any relation to the fact that the successful negotiations by the industry for the services of Will H. Hays and George Akerson took place while the former was Postmaster General and the latter secretary to the President of the United States.

(e) The relations of the said parties (1) with the State Department and the Department of Commerce in connection with the settlement of acute problems of the industry in several foreign countries, and (2) with the League of Nations, and the several committees thereof officially interested in the industry, including the International Educational Cinematographic Institute of the League of Nations at Rome, in which a representative of the said parties is a prominent member.

(f) The explanation for the policy pursued by the said parties in the employment in the industry of persons formerly affiliated with the State Department or the Department of Commerce, and the financial interest, if any, of Hon. Julius Klein, Assistant Secretary of Commerce, with any company in the industry.

(g) The participation of the said parties or other members of the industry in the patent pool agreement between the leading American and German electrical companies entered into at Paris, France, in June and July, 1930, whereby the world trade in audible-film apparatus and theater equipment was apportioned among the major companies represented, together with the activities of representatives of the State Department and Department of Commerce in accelerating such agreement and in informing the President of the United States of the agreement and the loss suffered by nonparticipating companies of the industry as a result of the agreement.

(h) The relations, if any, of the said parties with the Federal Trade Commission and the Department of Justice in connection with the failure of the department to vigorously prosecute the said parties for violating the Federal antitrust laws.

(i) The probable effect on the unlawful activities of the four members of the industry prosecuted in 1928 by the Government under the antitrust laws in the event of decrees in favor of the United States in those cases.

(j) The activities of the Copyright Protection Bureau, operated under direction of the said parties, in so far as the bureau exacts large sums of money from independent exhibitors under color of the penalty clause of the Federal copyright laws.

The committee shall report to the Senate, as soon as practicable, the results of its investigations, together with its recommendations, if any, for legislation requesting the Attorney General to institute proceedings against the members of the industry presumably guilty of unfair or unlawful trade practices or combinations.

For the purposes of this resolution such committee or any duly authorized subcommittee thereof is authorized to hold hearings, to sit and act at such times and places during the sessions and recesses of the Senate in the Seventy-second and succeeding Congresses until the final report is submitted, to employ such clerical and other assistants, to require by subpoena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, and to take such testimony and make such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee, which shall not exceed \$25,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

#### ISLE ROYALE NATIONAL PARK, MICH.

Mr. VANDENBERG. Mr. President, the Senate has completed this morning the legislation to create a national park at Isle Royale, Mich. It will be the greatest national park in the system if and when the plans are perfected. It is the only national park in the Great Lakes area. I predict for it a tremendous popularity when it finally has been taken into the national system. Perhaps the most remarkable and enthusiastic indorsement ever given to a national-park project is contained in the report of Secretary of the Interior and the Director of the National Park Service upon the so-called Cramton-Vandenberg bill. I ask unanimous consent that these reports be printed in the RECORD.

There being no objection, the memorandum of Director Albright, of the National Park Service, was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF THE INTERIOR,  
Washington, February 25, 1931.

Hon. GERALD P. NYE,  
Chairman Committee on Public Lands and Surveys,  
United States Senate.

MY DEAR MR. CHAIRMAN: In compliance with your request of February 24, for a report on S. 6221, which is a bill that would provide for the establishment of the Isle Royale National Park, in the State of Michigan, I transmit herewith a memorandum on the

subject that has been submitted by Director Albright of the National Park Service.

After a review of the proposed measure, I agree with Mr. Albright. Very truly yours,

RAY LYMAN WILBUR, Secretary.

DEPARTMENT OF THE INTERIOR,  
NATIONAL PARK SERVICE,  
Washington, February 25, 1931.

Reference is made to letter, dated February 24, from the chairman of the Committee on Public Lands and Surveys, United States Senate, inclosing for report a copy of S. 6221, Seventy-first Congress, third session, entitled "A bill to provide for the establishment of the Isle Royale National Park, in the State of Michigan, and for other purposes."

Isle Royale is the largest island in Lake Superior, located just inside the international boundary about 25 miles north and west of Keweenaw Point in Michigan. It lies in Keweenaw County of that State. It is approximately 44 miles long, with an average width of 5 miles. Its area is estimated at approximately 205 square miles. Twelve square miles of this area are composed of inland lakes, 24 in number, leaving 193 square miles, or approximately 123,520 acres net of land area. To this may be added about 2,000 acres on the immediately surrounding smaller islands which should be included in the project. It is accessible by boat from about May 1 to November 15. For the remainder of the year it is ice bound. During the open season boats from Duluth, Minn., Houghton, Mich., and Port Arthur, Ontario, provide transportation. A good many people now fly over the island. It has no telegraph or telephone connections with the mainland. The last census indicated only 23 registered voters, mostly trappers, fishermen, or miners, who live scattered throughout the area. It is used on a very small scale for summer resort purposes, a small lodge being available at Rock Harbor on the eastern end.

The topography of the island is quite broken, and can perhaps be best described as a moss and forest covered mass of gigantic rocks, the result of a volcanic upheaval. It has the appearance of being almost entirely in its primeval state, for, due to the rugged formation, lumbermen have left its tree growth alone. The island is said to have burned over in the remote past, and evidences of such fires can be seen in places. However, in such instances nature has restored conditions well. There are many marvelous beauty spots in their primitive condition, thus offering perfect examples of nature's textbooks for the study of scientist and student. Especially is this the case on the smaller islands surrounding the main Isle Royale. The exquisite, rugged beauty of the cliffs of the shore lines, indented with countless small bays and mouths of trout streams that may be enjoyed by sailing along the narrow deep fiords or channels, constitutes a particularly fascinating contribution to the scenic offerings of the park.

Due to the peculiar combinations of inland lakes and forested terrain, these factors may be held accountable for the preservation and increase of the wild life of the island. Without this sheltering cover of balsam, spruce, beech, birch, poplar, and pine, Isle Royale to-day doubtless would not be the home of moose, woodland caribou, beaver, deer, and other wild life. It is considered no exaggeration to estimate 2,000 moose and 400 woodland caribou on the island, the latter an animal not encountered elsewhere within the confines of the mainland of the United States. Moose may now be seen with little effort by any visitor. This in itself will present an unusually fine wild-life spectacle. Botanists report a wealth of flora, equaling in season the finest flower displays of the other national parks. The flora and fauna of the island, said to be entirely foreign to the neighboring shores of the lake and to be sub-Arctic in character due to the perpetually cold waters by which Isle Royale is surrounded, have long been the object of scientific curiosity. The waters of the island and the surrounding lake abound with fish so that the sport of fishing would be one of the outstanding attractions of the park. The island group are considered the greatest breeding grounds for the herring gull in the Great Lakes. The proposed park thus offers large opportunities for study and enjoyment to the lover of bird, animal, and fish life under most favorable conditions.

Another most interesting feature of the island is the archaeological remains. In two remote sections—one on the northern shore and the other in the south Siskiwit Bay district—extensive mining operations of ancient days have been uncovered. How far back into our history these go has not yet been definitely determined. On the old Minong workings, near McCargo's Cove, great piles of stone hammers, crude large stone steps leading to the water's edge and other stone implements have been uncovered. Whether these represent the operations of ancient white men or began with their Indian antecedents is unknown. However, there are remains of literally thousands of open pit mines from which, in aboriginal times, the early inhabitants of these regions obtained practically all of the copper that was used in aboriginal America. From here and the adjacent mainland where all of this copper was obtained, it found its way by the trade routes into other parts of North America, and all of the copper, so far as can be determined, which has been found in mounds in the South and elsewhere, was originally obtained from this immediate vicinity. Here at and near the heard of McCargo's Cove, therefore, may be said on good authority to be the real seat of this great ancient mining industry.

It is, therefore, evident that from a scenic, recreational, scientific, and educational standpoint, here is presented one of the outstanding opportunities for the establishment of a great island national park, unique of its kind in the system, and measuring up

to the high standards that have been prescribed for such establishment. Its type of scenery, utterly distinct from anything now found in our national park system, its primitiveness, its unusual wild life and interesting flora, its evidences of possible prehistoric occupation, all combine to make Isle Royale and its neighboring islands of national park caliber.

It is this very unusualness which will also present unusual problems for development, if and when created as a national park. Complete protection, of course, is the prime object aimed at. The island appears peculiarly adapted for the building of a simple system of horse and hiking trails from one end of the island to the other, following ridges or partly at lower elevations near the shores with other trails, crossing over and connecting the longer parallel trails. From these pathways unending and everchanging scenes of marvelous beauty would be unfolded, without disturbing the wilderness character of the area or the wild life. Such development of the inner section of the park would be paralleled by the boat routes through the channels surrounding the island.

The matter of establishing this national park was first seriously brought to the attention of the department in 1924 through the interest of Michigan conservation associations which were actively pushing the matter and exerting themselves toward securing the private holdings on the island in order that they could be offered to the Federal Government. The area was carefully inspected in 1925 by former Director Mather, of the National Park Service, who gave it his unqualified approval. He was much impressed and very enthusiastic over the possibilities. It has been visited and reported on by other outstanding men of authority, notably this past summer by Harlan P. Kelsey, of Salem, Mass., a botanist and conservationist, as collaborator for the service, and Dr. Frank R. Castler, of New York City, outstanding in conservation circles and a member of the advisory board on educational problems in national parks, both of whom were high in their praise of the area from a scenic and scientific standpoint. The area was also studied in 1930 by Senator WALKOTT, chairman of the Special Committee on the Conservation of Wild Life Resources of the United States Senate, and other members of that committee. In all discussions of the possible creation of this park, the department and the service, while being favorable to the project, have taken the stand that the only condition under which the project would be acceptable under established policies would be that all the area required should be conveyed to the Federal Government without cost, as was the policy approved by Congress for the establishment of the three proposed southern Appalachian parks.

It may be pertinent to observe at this point that, while all except 9,121 acres of the island, which are public land, are in private or State ownership, the head of one of the large copper companies owning considerable acreage on the island has indicated that some 21,000 acres of their holdings would be turned over to the park project without cost, in the event of the establishment of the park, and that this gift may be increased to 45,000 acres. The Conservation Commission of the State of Michigan stands ready to deed 2,240 acres of land under its jurisdiction toward the project. Altogether commitments have been made to turn over approximately 56,000 acres of the total required for the park, leaving the rest still to be acquired by local authorities.

Under the provisions of S. 6221, the actual establishment of this national park is based upon the condition that the land deemed necessary be turned over to the United States without cost for acquisition.

HORACE M. ALBRIGHT, Director.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Chaffee, one of its clerks, announced that the House had passed without amendment the following bills of the Senate:

S. 5455. An act to authorize an additional appropriation of \$7,500 for the completion of the acquisition of land in the vicinity of and for use as a target range in connection with Fort Ethan Allen, Vt.;

S. 5588. An act to add certain public lands to the Washakie National Forest, Wyoming;

S. 6078. An act to provide for the commemoration of the Battle of Fort Necessity, Pennsylvania; and

S. J. Res. 247. Joint resolution authorizing the President to proclaim October 11, 1931, General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski.

The message further announced that the House had passed the following bills of the Senate, each with amendments, in which it requested the concurrence of the Senate:

S. 101. An act to provide for producers and others the benefit of official tests to determine protein in wheat for use in merchandising the same to the best advantage, and for acquiring and disseminating information relative to protein in wheat, and for other purposes; and

S. 5724. An act authorizing the George Washington Bicentennial Commission to print and distribute additional sets of the writings of George Washington.

The message also announced that the House had passed the bill (S. 6169) to extend the restrictive period against alienation of any interest of restricted heirs of members of the Five Civilized Tribes, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

#### ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the President pro tempore:

S. 5033. An act to authorize an appropriation of tribal funds to purchase certain privately owned lands within the Fort Apache Indian Reservation, Ariz.;

S. 5455. An act to authorize an additional appropriation of \$7,500 for the completion of the acquisition of land in the vicinity of and for use as a target range in connection with Fort Ethan Allen, Vt.;

S. 5524. An act to coordinate the agricultural experimentation work and to extend the benefits of certain acts of Congress to the Territory of Porto Rico;

S. 6011. An act to authorize the Secretary of the Interior to purchase certain land in California for addition to the Cahuilla Indian Reservation, and issuance of a patent to the band of Indians therefor;

S. 6078. An act to provide for the commemoration of the Battle of Fort Necessity, Pa.;

S. 6128. An act to amend sections 17 and 27 of the general leasing act of February 25, 1920 (41 Stat. 437; U. S. C., title 30, secs. 184 and 226), as amended;

S. 6146. An act to provide for distribution of tribal funds of the Puyallup Indians of the State of Washington;

S. 6271. An act relating to the tenure of congressional members of the George Washington Bicentennial Commission;

H. R. 8677. An act for the relief of certain disbursing officers of the Army of the United States and for the settlement of individual claims approved by the War Department;

H. R. 15493. An act to authorize the Secretary of War to lease to the city of Little Rock portions of the Little Rock air depot, Ark., and for other purposes; and

H. J. Res. 303. Joint resolution to amend Public Resolution No. 80, Seventieth Congress, second session, relating to payment of certain claims of grain elevators and grain firms.

#### HOUSE BILL REFERRED

The bill (H. R. 17262) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and so forth, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, was read twice by its title and referred to the Committee on Pensions.

#### ECONOMIC INVESTIGATION IN THE OIL, COAL, LUMBER, AND OTHER INDUSTRIES

Mr. SMOOT. Mr. President, the Finance Committee met to-day and considered the joint resolution (H. J. Res. 525) to provide for the investigation of economic conditions in the oil, coal, lumber, manganese, asbestos, and agricultural industries, and for other purposes, I am authorized as chairman of the committee to report it to the Senate and ask unanimous consent for its immediate consideration.

Mr. LA FOLLETTE. I object.

The PRESIDENT pro tempore. Objection is made.

#### MINING EXPERIMENT STATION, COLLEGE PARK, MD.

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the bill (S. 5220) authorizing the establishment of a mining experiment station of the Bureau of Mines at College Park, Md., which were, on page 1, line 11, after the word "site," to insert "of not less than 20 acres"; on page 2, line 2, after the word "donated," to insert "and conveyed by deed conveying absolute title," and on the same page, line 3, to strike out all after the word "purpose" down to and including the word "indicated" in line 4.